IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3942 OF 2005
IN
FIRST APPEAL NO.1708 OF 2005

.....

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

.....

Mr. M.S. Mhambray, A.G.P. for the Appellant.
None for the Respondent.

CORAM : A.S. OKA, J.
DATE : MARCH 03, 2006.

P.C.:

1. Heard the learned A.G.P. for the Appellant. The challenge in the First Appeal is to an Award made under section 18 of the Land Acquisition Act, 1894. Operation of the Award cannot be stayed unless the entire amount payable under the Award is deposited. Hence, there will be interim relief in terms of prayer clause (b) subject to condition that the Applicant/Appellant will deposit the entire amount due and payable as per the impuged Judgment and Award with the reference Court within a period of twelve weeks from today. If the amount is not deposited within

the stipulated time, the stay granted will stand vacated automatically without reference to the Court.

2. As and when the amount is deposited, the reference Court will permit the original claimant to withdraw the same on furnishing security to the satisfaction of the reference Court.

3. Civil Application is disposed of in above terms.

4. As this order is passed without notice to the Respondent, it will be open for the Respondent to apply for modification of this order.

JUDGE